

1 Islands gets an extra multiplier. And it's very rare
2 because they're -- because Mr. Bean doesn't choose to
3 operate contests, and others will.

4 Q And with respect to the contest that took place in
5 late October of 2001 could you tell us what the nature of
6 this contest was?

7 A A 40- or 48-hour period in which the person would
8 call and work as many stations as possible. And log them in
9 and have a score that's produced by it on many different
10 frequencies that are licensed for amateur use.

11 Q Now, when your -- So I take it you made some
12 arrangement with Mr. Reichlyn for him to come and stay at
13 your home?

14 A He and his friend Steven Gasque, yes.

15 Q So two people were supposed to come?

16 A Two people were supposed to come.

17 Q How many people came?

18 A Only Mr. Reichlyn because Steven Gasque had a
19 death in the family.

20 Q And when did this come to your attention that Mr.
21 Gasque was not going to be coming?

22 A A day before. He was thinking about it but then
23 at the very last moment he pulled out.

24 Q So what was Mr. Reichlyn supposed to do once he
25 came to your house?

1 A Get ready and prepare, set up his computer and sit
2 down in front of the radio and check it out to make sure
3 everything was working and get ready for the contest. Make
4 sure that he had the beverages that he wanted and the food
5 that he wanted and things like that.

6 Q Was this done inside or outside of your home?

7 A Oh, inside.

8 Q Could you describe your home for us?

9 A My home is all on one level. And it is basically
10 a very open area that is separated only by, the windows are
11 all louvered and it's a big long hallway. And my bedroom is
12 on the far end and the rest is almost all open from the
13 living room to the kitchen. A single-level dwelling.

14 Q Mr. Reichlyn set up his equipment someplace inside
15 your home?

16 A Yes, that's correct.

17 Q Roughly where?

18 A In the guest bedroom is best to describe it.

19 Q So what was in this room?

20 A The equipment and a bed, bathroom, a toilet,
21 shower, clothes.

22 Q Could you describe roughly what this equipment
23 was?

24 A A transmitter and an amplifier and a switch for
25 some antennas. That's basically it.

1 Q And how much of the equipment was there
2 beforehand, how much did Mr. Reichlyn have to bring in?

3 A I don't believe he brought anything except his
4 laptop computer and his logs, preparation materials, aids
5 from the contest, listings and things like that.

6 Q Now, if you could look please at the first two
7 pages of what's been marked for identification as
8 Enforcement Bureau Exhibit 3.

9 A Uh-huh.

10 Q And why don't we focus on the first groupings of
11 apparently contacts. Would that be a, you know, an accurate
12 understanding of what this information is?

13 A I'm sorry, say that again?

14 Q If you look under "date" there are approximately,
15 oh, in the first group let's say there are ten contacts
16 there referencing October --

17 A Oh, you're talking about the actual logs here?

18 Q Yes, sir.

19 A Yeah. Yes, contacts.

20 JUDGE STEINBERG: Let me just ask, Enforcement
21 Bureau Exhibit 3 did you prepare this?

22 THE WITNESS: No.

23 JUDGE STEINBERG: Have you ever seen it before?

24 THE WITNESS: I have seen it before. When it was
25 sent to me by the Enforcement Bureau as a proposed exhibit.

1 JUDGE STEINBERG: Okay, but you'd never seen it
2 before then?

3 THE WITNESS: No.

4 JUDGE STEINBERG: Do you know, now there's
5 handwriting on the top Enforcement Bureau Exhibit 3. Ignore
6 that. Well, it's cut off on your copy.

7 THE WITNESS: Right.

8 JUDGE STEINBERG: But on you see the star and then
9 it looks like handwriting --

10 THE WITNESS: Yes, I see the star. Yes.

11 JUDGE STEINBERG: -- "contacts outside of contest
12 period."

13 THE WITNESS: Right.

14 JUDGE STEINBERG: Yours is a little cut off. Let
15 me show you mine which is not marked, marked up.

16 THE WITNESS: I understand.

17 JUDGE STEINBERG: Do you know whose handwriting
18 that is?

19 THE WITNESS: No.

20 JUDGE STEINBERG: It's not yours?

21 THE WITNESS: It's not mine.

22 BY MR. SHOOK:

23 Q Now, October 25 was, as this sheet notes, outside
24 the contest period?

25 A Yes. I see the period, that is outside the

1 contest period.

2 Q In other words there was like a practice run of
3 some kind before?

4 A No. Mr. Reichlyn apparently was operating in CW
5 Morse, operating code here. Because it says CW is the mode.
6 This contest was an SSB contest. So he was having some fun
7 prior to that period on Morse Code which it appears. I'm
8 only making an assumption. But he was --

9 Q Well, based on the information here, to the extent
10 you understand what it is that's here, I understand from the
11 Judge's questioning that you had nothing to do with the
12 preparation of this document.

13 A That's correct.

14 Q But it's simply a matter of us understanding what
15 some of these terms in all likelihood refer to. So in terms
16 of the date, that's self-explanatory. The time, I take it
17 that's the local time?

18 A No, that's international time.

19 Q International time. So in other words the time
20 that would be, what is it, someplace in England? I forget.

21 JUDGE STEINBERG: Greenwich.

22 MR. SHOOK: Greenwich.

23 THE WITNESS: Greenwich Mean Time or Zulu.

24 BY MR. SHOOK:

25 Q Greenwich Mean Time. And then you'd mentioned

1 Zulu, that's just a term that is used to indicate that time,
2 Greenwich Mean Time. All right, so in other words 23:24
3 would be 11:24 in the evening Zulu time?

4 A Correct.

5 Q And you had mentioned CW. CW stands for what?

6 A Continuous wave or Morse Code. That's what an
7 amateur is required to show his proficiency in before being
8 granted an examination.

9 Q So in other words the transmission that took place
10 at 23:24 Zulu time on October 25 was done via Morse Code
11 according to this log?

12 A According to this log. Now, you're asking me as
13 an expert witness although I, I'm expressing my opinion on
14 something that is just a piece of paper and entered as your
15 exhibit. I don't know if that's appropriate or not but I
16 will do the best I can if there is no objection.

17 JUDGE STEINBERG: Well, no, I think that's my
18 understanding.

19 MR. SHOOK: It sounds as if you qualify.

20 THE WITNESS: All right.

21 BY MR. SHOOK:

22 Q Now, moving over to the term "call," what is your
23 understanding of what EA3BOX would mean?

24 A EA3BOX is a gentleman in Spain. And he -- want me
25 to continue?

1 Q Sure.

2 A The frequency was the 15 meter band or 21
3 megahertz in the CW portion of the band. And he gave a
4 report of 599. The computer that Steve was using generated
5 the zone. Fourteen is Europe and EA indicates that is
6 Spain. The computer was telling him that he was getting
7 these multipliers although he was not operating in the
8 contest until the bottom, near the bottom of the change
9 where it changes to SSB when the contest actually began.
10 That's a computer-generated issuance based on the call he
11 entered on the keyboard. The computer generated all that.

12 And the computer actually generated the CW Morse.
13 It's just by one keystroke that's, that's sent out. I think
14 it was almost entirely computer-generated without pressing a
15 key or manipulating a paddle or anything.

16 Q Now, you mentioned that there was some difference
17 between CW and SSB. Could you explain again what that
18 difference is?

19 A SSB is a form of voice communication or speaking.
20 It is single sideband that uses one-half the carrier
21 frequency of an amplitude modulated signal. And it is the
22 common mode of choice today of amateurs speaking to one
23 another.

24 Q And in this case --

25 A In voice.

1 Q -- the voice transmission or the voice message
2 would be simply identifying who you were?

3 A It could be anything. It could be whatever
4 somebody wants to say. But it is a voice vocal
5 communication, very narrow bandwidth, very poor quality but
6 it is what is used by hams to speak to other hams.

7 Q Now, when the contest itself actually began it was
8 supposed to run for how long?

9 A It was supposed to run from 00:00 or midnight
10 Greenwich to I believe midnight the following, from midnight
11 Friday to midnight Greenwich on Sunday.

12 Q So a 48-hour period?

13 A Forty-eight hour period.

14 Q And what was your understanding as to how Mr.
15 Reichlyn prepared for this 48-hour period?

16 A I have no idea what his --

17 Q Well, he was going to be -- the object of this was
18 for him to stay up for 48 hours, right?

19 A No. He could, he elected not to operate the full
20 48 hours. It doesn't require it. There are periods of time
21 when the band's just not open, it's just nothing coming
22 through.

23 JUDGE STEINBERG: Can I ask is there a like one-
24 man contest --

25 THE WITNESS: Yes.

1 JUDGE STEINBERG: -- and two-man contest and
2 three-man contests?

3 THE WITNESS: Yes. Multi-multi and single and
4 multi-single. And this was supposed to be a two-man contest
5 of he and his friend that wanted to set a new record as a
6 two-man contest.

7 BY MR. SHOOK:

8 Q And those plans were thrown off a bit by virtue of
9 the fact that his friend couldn't come?

10 A Gaylord Gasque could not come.

11 Q Was anybody going to take his place?

12 A No.

13 Q So then Mr. Reichlyn was going to participate in
14 this contest by himself?

15 A He, he started out that way.

16 Q Did something change?

17 A Yes. He said, you know, I'm going to stretch out
18 a little bit. I'm going to stretch my feet. I've been
19 sitting here so long, do you want to sit down and work with
20 your station? I said, well, I don't know, what's your
21 entry? Are you single or multi? He says, I'm multi, it
22 doesn't make any difference. So I sat down and I worked
23 some stations. I worked several hours, made contacts for
24 him.

25 Q Now, do you recall that we had sent you some

1 interrogatories?

2 A Yes.

3 Q And that in one of those interrogatories we had
4 asked whether or not you had participated in any amateur
5 transmissions --

6 A Yes.

7 Q -- subsequent to the loss of your license?

8 A Yes.

9 Q And you had mentioned in your answer that you
10 participated or that you communicated rather over amateur
11 station AA4V/KP2, correct?

12 A That's correct. That's at the period you've been,
13 we've been discussing, yes.

14 Q And so one period of time in which you did this
15 according to your interrogatory answer was Saturday, October
16 27, 2001 at 06:27 GMT to 07:58 GMT, correct?

17 A That's correct.

18 JUDGE STEINBERG: Could you say -- Are these
19 listed in Exhibit 3? Could you repeat the times again?

20 MR. SHOOK: , right. I'm looking at October 27.
21 So that was from 06:27 GMT to 07:58 GMT.

22 BY MR. SHOOK:

23 Q So in that sense I would focus your attention on
24 Bureau Exhibit pages 3 --

25 JUDGE STEINBERG: Yes, 3 and 4.

1 BY MR. SHOOK:

2 Q -- 4, 5 and 6.

3 JUDGE STEINBERG: Did you say 06:27 to 06:58?

4 MR. SHOOK: To 07:58.

5 JUDGE STEINBERG: Oh, okay. You said 06, I think.

6 MR. SHOOK: If I did, I misspoke.

7 JUDGE STEINBERG: So it's the period that began on
8 page 3. I guess that's contact number 1178 and go through
9 page 6, contact number 1304.

10 MR. SHOOK: Yes, sir.

11 JUDGE STEINBERG: Why don't you ask Mr. Schoenbohm
12 again because I kind of lost track.

13 BY MR. SHOOK:

14 Q All right. Mr. Schoenbohm, first of all do you
15 have in front of you what is marked as Bureau Exhibit 3, and
16 in particular page 3?

17 A Yes, I do. Although it's cut off at the top, yes,
18 I have.

19 Q All right. And if you could focus your attention
20 on the contacts, on the contact numbers 1177 and 1178?

21 A Yes.

22 Q You're there?

23 A Yes.

24 Q All right. From your interrogatory answer I take
25 it that you had no role whatsoever with respect to contact

1 1177?

2 A I don't know. I just couldn't possibly remember
3 precisely what contact number at what time precisely. I did
4 have a role in some of the contacts but I can't tell you to
5 a moral certainty that I didn't have a role in that contact.

6 Q Well, if we take your interrogatory answer as to
7 the beginning of your participation at 06:27 GMT it would
8 appear from this exhibit, Bureau Exhibit 3, that your first
9 contact would have occurred as contact number 1178?

10 A That is best guesstimation I can give you. That
11 would appear to be correct.

12 JUDGE STEINBERG: Why don't you just read the
13 interrogatory question and answer into the record so that we
14 are all working from the same information.

15 MR. SHOOK: All right. One has to begin with
16 Interrogatory No. 6 for this to be understandable. So
17 Interrogatory 6 reads: "State whether you have caused any
18 amateur radio station to operate in the transmit mode or
19 otherwise have operated or transmitted messages on any
20 amateur radio station since January 29, 2001." The answer
21 to that interrogatory was "Yes."

22 Interrogatory 7: "If yes, (A) identify each and
23 every call sign and identify the licensee related to each
24 and every such operation or transmission, including the
25 dates of such operation or transmission."

1 Answer: "Saturday, October 27, 2001, at 06:27 GMT
2 to 07:58 GMT, I communicated over the amateur radio station
3 AA4V/KP2. This occurred again on Sunday, October 28, 2001
4 where I communicated over the same station 08:34 GMT to
5 09:03 GMT."

6 "(B) Identify the control operator, if any, at
7 each and every such operation or transmission and the
8 physical location of said control operator relative to the
9 physical location of the amateur radio transmitting
10 equipment."

11 Answer: "The control operator was Steve Reichlyn,
12 amateur radio licensee of AA4V/KP2. The amateur
13 transmitting equipment was located in a room in the western
14 end of my home. This room was open at all times during my
15 communication. Mr. Reichlyn was always in a position to
16 make the required adjustments as control operator. Mr.
17 Reichlyn resides at Isle of Palms, SC." I believe that will
18 suffice for the moment.

19 BY MR. SHOOK:

20 Q All right, Mr. Schoenbohm, if you would please,
21 could you tell us what the various notations beginning after
22 27 October '01 at 06:27 what that means as far as you
23 understand it?

24 A Contact number 1178, 1800 is the 1.8 megahertz
25 amateur frequency and the call sign entered is WA4TII and

1 the reporter received was 5905.

2 Q Now, the call sign WA4TII is that supposed to be
3 something for a station that you contacted?

4 A That we had a contact with, yes.

5 Q And what is it that you were actually
6 transmitting?

7 A The call sign and the report.

8 Q Would you speak or how was this done?

9 A Yeah, the call sign was spoken and the report
10 instead of 5905 which he sent to me I would send, send
11 things that Mr. Reichlyn sent to everybody 5908. That's it.
12 And maybe the word "go ahead" or "over," regular pro sign,
13 regular amateur pro sign used for communication purposes.

14 Q So 5905 was something that you spoke?

15 A No. 5905 was the received words of the station
16 which indicates that the signal report is quality 5, level 9
17 in the 5th zone.

18 Q What does that all mean?

19 A Well, the report is not significant but the zone
20 is because there are 40 zones in the contest. And the more
21 zones you get, you get, if you get one zone you get a
22 multiplier of one. If you get 40 zones you get a multiplier
23 of 40.

24 Q Five zones were contacted at the same time or?

25 A No. Zone 5 is the east coast of the United

1 States.

2 Q I see.

3 A Zone 4 is the Middle West and Zone 3 is the West,
4 California and that area.

5 JUDGE STEINBERG: Where is 15? That looks like it
6 might be foreign.

7 THE WITNESS: Fifteen is northern Europe. It's
8 Sweden, Finland and --

9 JUDGE STEINBERG: Because that looked like a long
10 way away.

11 THE WITNESS: Yeah.

12 BY MR. SHOOK:

13 Q So the last two digits are the 05, that's the zone
14 that you contacted?

15 A That is the zone the station is in and chooses to
16 give you.

17 Q All right. So in other words the first three
18 stations that you contacted according to this log were all
19 in zone 5?

20 A That's correct.

21 Q And then the contact noted at 1181?

22 A Zone 8 which is Puerto Rico or the West Indies.
23 That particular station from --

24 JUDGE STEINBERG: That's where your zone is?

25 THE WITNESS: Hmm?

1 JUDGE STEINBERG: Where the Virgin Islands is is
2 Zone 8, right?

3 THE WITNESS: That's correct, yeah.

4 JUDGE STEINBERG: That's why you said 5908?

5 THE WITNESS: That's correct.

6 JUDGE STEINBERG: I'm catching on.

7 THE WITNESS: From Cuba all the way down to
8 Barbados is Zone 8.

9 BY MR. SHOOK:

10 Q All right. So now what happens when we move to
11 contact 1189?

12 A 1189 is a gentleman in Brazil because he's in Zone
13 11 and his call sign although the computer says PY, PY is
14 Brazil where I currently have a amateur ham license. Was
15 using a special call that was issued for the purpose of the
16 contest, Zulu Whiskey 5 Bravo. That's a Brazilian station.
17 And the reports are basically the same, 5905 -- or 5911
18 rather for Zone 11. And 5909 was the same transmitted
19 signal that the computer did not copy because it would have
20 been unnecessary for the computer to copy the same report
21 over and over and over again.

22 That was just the nature of I guess they could be
23 programmed to do other things, but that was the nature of
24 Steve's computer, laptop computer that he had programmed for
25 the contest.

1 Q All right, I'd like to focus your attention on
2 contact number 1192.

3 A Yes?

4 Q And what contact was that?

5 A That is a gentleman from Michigan operating in St.
6 Martin which is about 100 miles away from St. Croix. And he
7 gave the same report as the other stations in the Caribbean,
8 5908.

9 Q Now, in a contest -- a contact of this nature what
10 significance if any is there to the fact that the person who
11 is contacted is located in a place like St. Martin?

12 A Well, every country, every identifiable country
13 gives you another multiplier. So St. Martin which is both
14 French and Dutch, they say it's 50 percent French, 50
15 percent Dutch and 100 percent American, but it is if --
16 there have been cases where a gentleman would sit on the
17 boundary. In fact, I have gone there and sat on the
18 boundary and you can give out both countries, you get two
19 credits if you straddle a boundary because there is a line
20 that designates French St. Martin from the Netherlands
21 Antilles.

22 Q Now I'd like to direct your attention to page 4.

23 A Yes.

24 Q Contact number 1217.

25 A Oh, 1217. That appears to be on the 80-meter

1 band. It is a voice communication with a gentleman in
2 Scotland. And he is in Zone 14.

3 Q Now, what is your understanding as to the
4 appropriateness, for lack of a better word at this point, of
5 your making a contact with a person in Scotland?

6 A I have read the rules very carefully and my
7 understanding is that I am prohibited from passing messages
8 to third parties. I am not prohibited from being a voice
9 behind the microphone to establish the communication. But I
10 am prohibited because European agreements, most European
11 countries do not prohibit a third party to be sent a message
12 to apart from the operator.

13 JUDGE STEINBERG: What rules are you referring to,
14 the FCC rules?

15 THE WITNESS: 97-115.

16 JUDGE STEINBERG: The FCC rules?

17 THE WITNESS: FCC rules. This contest is not a
18 contest of sending messages to third parties. But that is
19 one prohibition that as an unlicensed individual would bar
20 me from passing messages to third parties.

21 JUDGE STEINBERG: Define a message to a third
22 party? I mean I don't know what that is.

23 THE WITNESS: Please contact Aunt Jenny and tell
24 her that the Christmas gifts are on the way, Aunt Jenny not
25 being the operator, Aunt Jenny being someone in the next

1 room or in the next village.

2 JUDGE STEINBERG: But the operator could say, if
3 the operator is Aunt Jenny you could say, Aunt Jenny, your
4 Christmas presents are on the way?

5 THE WITNESS: Yes. That's not a third party.

6 JUDGE STEINBERG: But you couldn't say, Aunt
7 Jenny, tell your kids the Christmas presents are on the way?

8 THE WITNESS: That's correct. Because the ITU
9 countries in Europe, mostly the FCC there is the PTT, the
10 PTT owns the phone company.

11 JUDGE STEINBERG: Post Telephone and Telegraph?

12 THE WITNESS: Correct. But in the western
13 hemisphere a completely different regime is there, a
14 completely different venue because there a third-party
15 communication is not forbidden. But it is forbidden in many
16 countries of the world in Region 1 which the ITU region is
17 basically Europe and parts of Africa, although there are
18 some exceptions.

19 JUDGE STEINBERG: Why don't you ask your question
20 again now that I know what third-party communication is.
21 Because I didn't understand the question or the answer.

22 MR. SHOOK: Okay.

23 JUDGE STEINBERG: Frankly.

24 MR. SHOOK: Since I just made the question up I'd
25 have to go back through my memory and figure out what it was

1 that I asked. I think basically --

2 JUDGE STEINBERG: It had to do with the,
3 essentially with the propriety of Mr. Schoenbohm making
4 these contacts, I think.

5 BY MR. SHOOK:

6 Q Yes. It was my asking Mr. Schoenbohm what his
7 understanding was as to the propriety of him making such a
8 contact.

9 A The propriety being that it is acceptable as long
10 as messages are not passed to third parties.

11 Q In your, to your understanding does it make any
12 difference in terms of the propriety of the contact whether
13 Mr. Reichlyn whose station you are using is supervising you
14 in some manner while this contact takes place?

15 A Oh, absolutely. He must be. It's required that
16 he be in charge. It's required that he's the control
17 operator. That allows an unlicensed person to speak into a
18 microphone. And it's done for a good cause: Boy Scouts want
19 to participate, schoolkids want to talk to the Russian
20 astronaut on Mir when it was still available, and the
21 control operator made that all happen. Without the control
22 operator there the school kids couldn't talk to the
23 cosmonaut on Mir.

24 Q Then in these circumstances the control operator
25 that we're referring to is Mr. Reichlyn?

1 A That's correct.

2 Q And so Mr. Reichlyn not only has to be present, he
3 has to be sentient?

4 A He has to be what?

5 Q Awake.

6 JUDGE STEINBERG: Awake.

7 THE WITNESS: Oh, absolutely. Sure.

8 BY MR. SHOOK:

9 Q Now, why is it that you're in front of the
10 microphone instead of Mr. Reichlyn at this point in time?

11 A Mr. Reichlyn asked me to sit down, on his request
12 not mine, which I think is clear from his letter, and work
13 some stations because I have a certain ability on the low
14 frequencies of having a different kind of -- I'm a low
15 frequency specialist. And listening to a lot of static
16 crashes and picking out call signs unique to the contest, he
17 says why don't you sit down and why don't you do it?

18 I said no, no. He said, that's all, right. I'm
19 not a single operator in this competition and since Steve
20 didn't come you can sit down.

21 So we discussed it briefly. I said I really don't
22 want to. But I really did want to. Because I hadn't, you
23 know, I lost my license. And some people were very
24 appreciative of the fact and others were not as a result of
25 the letter to Mr. Hollingsworth that you entered in

1 evidence.

2 Q Well, you jumped the gun a little bit there but
3 that's okay. I mean I'll --

4 A Well, I got a 5:00 flight. That's why.

5 Q All right. So Mr. Reichlyn asked you to take over
6 for him for a while?

7 A Not take over. To sit down behind the microphone
8 and provide my voice and my ears while he sipped on a can of
9 Diet Coke.

10 Q Mr. Reichlyn had been behind the mike for how long
11 before he asked you to help him?

12 A Well, since the beginning of the contest. There
13 may be breaks in his log. I'm not aware. Because he did
14 not operate the full 48 hours. He did sleep. There was
15 sleep time that he had programmed into his routine. But I
16 was sleeping at the same time so I don't know. When I woke
17 up he was -- when I went to bed he was at the microphone.
18 When I woke up he was at the microphone. But I think there
19 were periods in there when he actually did sleep and did
20 relax. And my wife prepared food for him.

21 Q But during this hour-and-a-half period on
22 Saturday, October 27 are you saying that Mr. Reichlyn
23 remained in the room with you?

24 A He was there present all the, all the time. He,
25 there's a bathroom, right there. And there's a little

1 toilet but I could see his feet. But I didn't pay a lot of
2 attention, you know.

3 Q Well, that's fine. We're not going to --

4 A But he could hear me and he could observe what I
5 was doing. He was watching me. And he also expressed when
6 the call came up on the computer, he was looking at the
7 computer saying that's nice, that's nice. So.

8 Q My question is a relatively simple one. And that
9 is during the hour-and-a-half period that we are now looking
10 at, 06:27 GMT to 07:58 GMT on Saturday, October 27, Mr.
11 Reichlyn was in the little room with you?

12 A No, that's not correct. He was on the premises.
13 Because the room opens up into the hallway, it opens up into
14 the courtyard, it opens up into the bathroom. And he did
15 walk around a little bit so to stretch his legs but he was
16 never away from the premises. He was never out of earshot.
17 It was never a point where he couldn't hear what I was
18 talking about because of the opening into the area.

19 So he, he could main control. But there was never
20 an eyeball-to-eyeball contact during that entire period that
21 was unbroken -- I mean that was constant. And for practical
22 reasons. I mean my wife would bring him some food and he
23 would sit down next to me and he would consume the food on a
24 small little table.

25 Q I want to direct your attention to contact number

1 1237 which appears on page 4.

2 A Yes.

3 Q And could you tell me what that contact was?

4 A That is a contact again on the 80-meter band, a
5 voice contact with Zone 33. And it turned out to be a new
6 multiplier and a new country. It is the Canary Islands.

7 JUDGE STEINBERG: That's why the EA is because
8 Canary Islands is owned by Spain.

9 THE WITNESS: Right.

10 JUDGE STEINBERG: That's what I was thinking.

11 MR. SHOOK: You know from that that the Judge is a
12 very quick study.

13 THE WITNESS: Get him a ham ticket.

14 JUDGE STEINBERG: I couldn't do this Morse Code
15 except S.O.S. It's the only thing I know, from watching
16 movies.

17 THE WITNESS: Well, there's a no code type license
18 available.

19 JUDGE STEINBERG: Is there?

20 THE WITNESS: Yeah. Morse Code is no longer a
21 requirement.

22 JUDGE STEINBERG: That's what I need, another
23 hobby.

24 THE WITNESS: It's a great hobby.

25 BY MR. SHOOK:

1 Q All right, just for purposes of explanation,
2 contact number 1239?

3 A 1239 is a gentleman in Mexico. And he's in Zone
4 6.

5 Q Moving over to page 5 of Bureau Exhibit 3, contact
6 number 1243.

7 JUDGE STEINBERG: I knew you'd want to ask about
8 that.

9 THE WITNESS: 1243 is New Zealand. And there was
10 a new multiplier and a new zone on that particular band
11 which was the 80-meter band or 3.5 -- 3.8 megahertz to be
12 exact.

13 BY MR. SHOOK:

14 Q And contact number 1252 we're back to the Canary
15 Islands again?

16 A That's correct. And that's why it does not show
17 up as a new multiplier or a new country in the, right-hand
18 column.

19 Q Or under the term or under "MULTS" that's what
20 you're talking about?

21 A Multiplier, right.

22 Q Okay.

23 A Multipliers by zone and multipliers by country.

24 Q All right. And so what is contact 1250 then?

25 A Contact 1250 is a contact in Costa Rica by a

1 gentleman from Texas who went to Costa Rica during the
2 contest and that turned out to be a new country and a new
3 multiplier.

4 Q Contact number 1255?

5 A Country 1255 is Ireland. And since Zone 14 had
6 already been worked on that band, EI shows up in the
7 multiplier as a new country by the computer.

8 Q Contact 1276?

9 A Contact 1276 is Arnie in Cuba, COAJY. And it
10 shows up in the computer as Charlie Mike because CO and CM
11 are two designators that Cuba possesses under the ITU. It's
12 all the same. But Zone 8 had already been worked previously
13 on that band so it did not show up as a new multiplier. It
14 showed up only as a new country.

15 Q Then moving on to page 6, contact number 1289?

16 A 1289 is the new prefix for Antigua which is about
17 200 miles south and east of St. Croix. Zone 8, same as St.
18 Croix and Virgin Islands but V2 as the country designator.

19 JUDGE STEINBERG: Look at 1284. How come you get
20 no points for the contact?

21 THE WITNESS: Because it is WP2Z was apparently
22 worked before. It is also in the Virgin Islands. It's in
23 the same island.

24 JUDGE STEINBERG: Because usually I mean I see
25 duplicates.

1 THE WITNESS: Duplicates are zero. That is a
2 mistake. There should have been at least -- if you work
3 somebody in the same country you don't get the same amount
4 of credit as you do to work somebody in another country.

5 JUDGE STEINBERG: You should get more than zero.
6 I think you ought to --

7 THE WITNESS: Yeah, absolutely.

8 JUDGE STEINBERG: -- he ought to appeal that one.
9 (Laughter.)

10 THE WITNESS: Well, if you're in the United States
11 I think during this contest, if the rules haven't changed,
12 and a guy in Ohio works a guy in Michigan he can get the
13 zone credit.

14 JUDGE STEINBERG: Yeah.

15 THE WITNESS: But he can't get the country credit
16 because Michigan and Ohio people just sit there and the rest
17 of the world can just wait.

18 JUDGE STEINBERG: Is the winner determined by the
19 total points in the left column -- I mean the, right column?

20 THE WITNESS: Total points in all the bands.
21 These are just cumulative totals per page.

22 JUDGE STEINBERG: Oh.

23 THE WITNESS: But Steve did set a world record
24 with his operation, I mean not a world record but a winning
25 score until Mr. Hollingsworth brought it into dispute. I

1 don't know if that was ever resolved because I never heard
2 back. Every time I've written Mr. Hollingsworth he has
3 never responded back to me on any of these issues.

4 MR. SHOOK: We'll talk about that at the break.

5 BY MR. SHOOK:

6 Q Then finally contact 1298?

7 A Contact 1298 is Aruba. And it gets three points
8 because Aruba is considered one of the Netherlands Antilles
9 to be in South America geographically speaking. And it's in
10 Zone 9.

11 Q All right. And then at 07:58 as I understand it
12 from your interrogatory answers and from the testimony that
13 we've had today you stopped, you left the mike, Mr. Reichlyn
14 came back and took over?

15 A Yes. If that's -- I base this on Mr. Reichlyn's
16 recitation to Mr. Hollingsworth of the periods of time.

17 Q I take it it comports with your memory thought of
18 your participation?

19 A It's close. The short period of time that I
20 operated, it's very, very close. But I cannot say to a
21 moral certainty that precisely at this time I got up and Mr.
22 Reichlyn sat down. I just cannot do that. And I know that
23 if I made that mistake it would be deadly to my application.
24 So I would just like to say that it is a very good
25 reflection of my participation in this contest of Mr.

1 Reichlyn's.

2 Q After Mr. Reichlyn came back and sat behind the
3 mike he was there for approximately how long before you
4 popped back into the picture?

5 A A long time. I don't remember precisely when but
6 he was there a long time.

7 Q According to your interrogatory answer though
8 there was a second time when you began to communicate?

9 A Yes, there was. A second and much shorter time.

10 Q Right. According to your interrogatory answer it
11 was roughly a half hour.

12 A A half hour later?

13 Q No. When you --

14 A Yeah.

15 Q -- your total participation the second time
16 around.

17 A I --

18 JUDGE STEINBERG: Do you need to hear the answer
19 again or do you want to reask?

20 BY MR. SHOOK:

21 Q Well, just to make sure I'm reading this, right,
22 on Sunday, October 28 you communicated over the same station
23 08:34 GMT to 09:03 GMT which if I'm reading this accurately
24 would be roughly a half hour.

25 A Okay. I know it was much shorter than the

1 previous time.

2 Q All right. Well, let's then look at page 7 of
3 Bureau Exhibit 3. And taking your interrogatory answer it
4 would appear that your next stint behind the mike began with
5 contact number 3844?

6 A Yes.

7 Q And the station contact appears to be AH60Z.

8 A Oh zee.

9 Q Oh zee, 60Z. Okay.

10 A Yes.

11 Q And my copy isn't particularly clear but it
12 appears that we've got the numbers again 59. And then this
13 time the number 31 appears?

14 A Yes.

15 Q And what's that?

16 A That would indicate he's in the Pacific and
17 probably the island of Guam.

18 Q All right.

19 A Or Hawaii. It could be Hawaii.

20 Q Okay.

21 A Hawaii.

22 Q Next contact I'd like you to focus on is 3847.

23 A 3847, yes.

24 Q And now where is that?

25 A That's a French possession in the South Pacific

1 called Wallace Island.

2 JUDGE STEINBERG: Didn't it have two names like
3 Wallace and Fortuna at one time?

4 THE WITNESS: Uh-huh. Uh-huh, Wallace and
5 Fortuna, correct.

6 JUDGE STEINBERG: You didn't know I knew that, did
7 you.

8 THE WITNESS: Oh, you're great at geography.

9 JUDGE STEINBERG: Couldn't point to it on a map
10 but.

11 BY MR. SHOOK:

12 Q And how about contact 3848?

13 A 3848 is New Zealand, Zone 32.

14 Q Contact 3849?

15 A Brazil. Papa Tango is the same as Papa Yankee, a
16 Brazilian station in Zone 11.

17 Q Contact 3853?

18 A That's a friend of mine in Puerto Rico, NP4A, Zone
19 8.

20 Q Contact 3854?

21 A Argentina, LU8DWR, Zone 13.

22 Q Contact 3855?

23 A J75J I believe is St. Vincent or J73, J73 would be
24 Grenada. Yes, J7 is Grenada.

25 MR. SHOOK: All right, Your Honor, we are just

1 about finished. If you could give me a minute to --

2 JUDGE STEINBERG: Sure.

3 MR. SHOOK: Check things over.

4 (Pause.)

5 MR. SHOOK: Your Honor, I have no further
6 questions of Mr. Schoenbohm at this time. I would like to
7 give the court reporter an original and one of the Bureau's
8 exhibits. At this point we have only marked for
9 identification those exhibits that are marked as Bureau
10 exhibits in the binder. We also have two official notice
11 exhibits. The first --

12 JUDGE STEINBERG: Let's do the 1, 2, 3 first.

13 MR. SHOOK: Okay. Your Honor, we would like to
14 move into evidence Bureau Exhibits 1, 2 and 3.

15 JUDGE STEINBERG: Mr. Schoenbohm, look at Exhibit
16 1, please. Have you ever seen that Exhibit 1, Bureau
17 Exhibit 1.

18 THE WITNESS: This is a Bureau. Oh, okay. I'm
19 sorry.

20 JUDGE STEINBERG: Yes, we've got it broken up into
21 official folders and.

22 THE WITNESS: Yes. I've seen this before as they
23 have presented it to me.

24 JUDGE STEINBERG: You mean when they sent it to
25 you in their exhibit exchange?

1 THE WITNESS: Correct.

2 JUDGE STEINBERG: That's the first you'd seen it?

3 THE WITNESS: Yes.

4 JUDGE STEINBERG: Okay. You didn't have anything
5 to do with writing it?

6 THE WITNESS: No.

7 JUDGE STEINBERG: Or responding to it?

8 THE WITNESS: No.

9 JUDGE STEINBERG: Let me ask, Mr. Shook, did this
10 come from official Commission records?

11 THE WITNESS: Yes, sir.

12 JUDGE STEINBERG: Let me ask also, Mr. Schoenbohm,
13 do you have any objection to receiving Bureau Exhibit 1?

14 THE WITNESS: No. Only its relevance, it is what
15 they used to lay the groundwork for the previous questions.
16 And they've already been done so at this point.

17 JUDGE STEINBERG: I am going to receive Bureau
18 Exhibit 1 for the sole purpose, not for the truth of the
19 matters asserted therein but the sole purpose for the
20 purpose of finding or concluding that on November 13, 2001
21 Reilly Hollingsworth wrote a letter to Mr. Reichlyn and the
22 letter asked this, but not for the truth of the matters
23 asserted in the letter. Basically for official notice
24 purposes.

25 MR. SHOOK: Your Honor, I would only ask for

1 3qualification of that with respect to any of our questions
2 and answers here that happen to correspond.

3 JUDGE STEINBERG: Oh, absolutely. What Mr.
4 Schoenbohm he testified to he testified to under oath and
5 those are facts. And if it is necessary to quote something
6 in one of the letters to put the fact into context that is
7 okay. But anything stated in the letter is not to be
8 considered a fact.

9 MR. SHOOK: That's fine.

10 (The document referred to,
11 previously marked for
12 identification as Enforcement
13 Bureau Exhibit 1, was received
14 in evidence.)

15 And, Mr. Schoenbohm, please look at Bureau Exhibit
16 2.

17 THE WITNESS: I have seen this before.

18 JUDGE STEINBERG: Okay, in what context?

19 THE WITNESS: It was sent to me as a Bureau
20 exhibit.

21 JUDGE STEINBERG: Did Mr. Reichlyn send you a copy
22 of that?

23 THE WITNESS: Yes, he did.

24 JUDGE STEINBERG: And I think in your testimony
25 you referred to the answers in the interrogatory, your --

1 THE WITNESS: Yes.

2 JUDGE STEINBERG: -- your interrogatory answer to
3 I guess it was Interrogatory 7 concerning when you didn't
4 operate but when you went on the air and made these contacts
5 that you testified that the times that you answered in your
6 interrogatories were derived from Mr. Reichlyn's letter.

7 THE WITNESS: His log. The times I operated and
8 his letter describing my operation. That is based --

9 JUDGE STEINBERG: Okay.

10 THE WITNESS: He made a statement that when I sat
11 down and he supervised my operation. And that is something
12 I will not dispute because he kept the records. I did not
13 jot down any notes or records to --

14 JUDGE STEINBERG: Yes. But basically your
15 interrogatory answer was derived from something Mr. Reichlyn
16 said in Exhibit 2?

17 THE WITNESS: That is correct.

18 JUDGE STEINBERG: Okay.

19 THE WITNESS: That is correct.

20 JUDGE STEINBERG: Just wanted to clarify that.
21 Do you have any objection to it?

22 THE WITNESS: No, I do not.

23 JUDGE STEINBERG: Okay, Bureau Exhibit 2 will be
24 received with the same limitations as Exhibit 1 was
25 received. And also if Mr. Schoenbohm testified, his